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FBRIC54.003APC
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U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/586,772	Peter Schofield	FBRIC54.003APC

INTERNATIONAL APPLICATION NO.

PCT/AU05/00078

I.A. FILING DATE	PRIORITY DATE
01/24/2004	01/23/2004

20995
 KNOBBE MARTENS OLSON & BEAR LLP
 2040 MAIN STREET
 FOURTEENTH FLOOR
 IRVINE, CA 92614

CONFIRMATION NO. 4743

371 FORMALITIES LETTER



OC000000021225847

Date Mailed: 11/15/2006

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Indication of Small Entity Status
- Copy of the International Application filed on 07/21/2006
- Copy of the International Search Report filed on 07/21/2006
- Preliminary Amendments filed on 07/21/2006
- Biochemical Sequence Diskette filed on 07/21/2006
- Small Entity Statement filed on 07/21/2006
- U.S. Basic National Fees filed on 07/21/2006
- Priority Documents filed on 07/21/2006
- Specification filed on 07/21/2006
- Claims filed on 07/21/2006
- Abstracts filed on 07/21/2006
- Drawings filed on 07/21/2006
- Paper nucleotide sequence listings filed on 07/21/2006

The applicant needs to satisfy supplemental fees problems indicated below.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Additional claim fees of \$1355 as a small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due.
- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.

MOL 6 1 2006

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- To avoid abandonment, a surcharge (for late submission of filing fee, search fee, examination fee or oath or declaration) as set forth in 37 CFR 1.492(h) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.

SUMMARY OF FEES DUE:

Total additional fees required for this application is **\$2045** for a Small Entity:

- **\$65** Surcharge.
 - The specification and drawings contain more than 100 pages. Applicant owes **\$625** for **227** pages in excess of **100** pages for a small entity in compliance with 37 CFR 1.27.
- Total additional claim fee(s) for this application is **\$ 1355**
 - **\$500** for **5** independent claims over 3.
 - **\$675** for **27** total claims over 20.
 - **\$180** for multiple dependent claim surcharge.

ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

Registered users of EFS-Web may alternatively submit their reply to this notice via EFS-Web.
<https://sportal.uspto.gov/authenticate/AuthenticateUserLocalEPF.html>

For more information about EFS-Web please call the USPTO Electronic Business Center at **1-866-217-9197** or visit our website at <http://www.uspto.gov/ebc>.

If you are not using EFS-Web to submit your reply, you must include a copy of this notice.

PATRICIA A BOOKER

Telephone: (703) 308-9140 EXT 204

PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/586,772	PCT/AU05/00078	FBRIC54.003APC

STIC Biotechnology Systems Branch

RAW SEQUENCE LISTING **ERROR REPORT**

The Biotechnology Systems Branch of the Scientific and Technical Information Center (STIC) detected errors when processing the following computer readable form:

Application Serial Number: 10/586,772
Source: IFWP
Date Processed by STIC: 7/31/06

THE ATTACHED PRINTOUT EXPLAINS DETECTED ERRORS.

PLEASE FORWARD THIS INFORMATION TO THE APPLICANT BY EITHER:

- 1) INCLUDING A COPY OF THIS PRINTOUT IN YOUR NEXT COMMUNICATION TO THE APPLICANT, WITH A NOTICE TO COMPLY or,
- 2) TELEPHONING APPLICANT AND FAXING A COPY OF THIS PRINTOUT, WITH A NOTICE TO COMPLY

FOR CRF SUBMISSION AND PATENTIN SOFTWARE QUESTIONS, PLEASE CONTACT MARK SPENCER, TELEPHONE: 571-272-2510; FAX: 571-273-0221

TO REDUCE ERRORED SEQUENCE LISTINGS, PLEASE USE THE **CHECKER VERSION 4.4.0 PROGRAM**, ACCESSIBLE THROUGH THE U.S. PATENT AND TRADEMARK OFFICE WEBSITE. SEE BELOW FOR ADDRESS:

<http://www.uspto.gov/web/offices/pac/checker/chkrnote.htm>

Applicants submitting genetic sequence information electronically on diskette or CD-Rom should be aware that there is a possibility that the disk/CD-Rom may have been affected by treatment given to all incoming mail.

Please consider using alternate methods of submission for the disk/CD-Rom or replacement disk/CD-Rom.

Any reply including a sequence listing in electronic form should NOT be sent to the 20231 zip code address for the United States Patent and Trademark Office, and instead should be sent via the following to the indicated addresses:

1. EFS-Bio (<<http://www.uspto.gov/ebc/efs/downloads/documents.htm>> , EFS Submission User Manual - ePAVE)
2. U.S. Postal Service: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450
3. Hand Carry, Federal Express, United Parcel Service, or other delivery service (EFFECTIVE 01/14/05):
U.S. Patent and Trademark Office, Mail Stop Sequence, Customer Window, Randolph Building, 401 Dulany Street, Alexandria, VA 22314

Revised 01/10/06



IFWP

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DATE: 07/31/2006

PATENT APPLICATION: US/10/586,772

TIME: 14:46:26

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 4 Blair, Ian
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 8 <130> FILE REFERENCE: FBRIC54.003APC
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 C--> 10 <141> CURRENT FILING DATE: 2006-07-21
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 11 <151> PRIOR FILING DATE: 2004-01-23
 13 <150> PRIOR APPLICATION NUMBER: PCT/AU2005/000078
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 Corrected Diskette Needed

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TIME: 14:46:26

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Output Set: N:\CRF4\07312006\J586772.raw

331	atgtttatgt	ttatagtgtg	cagtaaggat	gcaatttttc	ttttttacgt	gagtggagat	7080
333	aaccgatgcc	cctcatcccg	ccctgatgaa	tgtctagagc	agctgtgggt	accttgtaat	7140
335	aatgtgactg	caagcttgag	aataaaggca	tgacttgaca	tgactgaggg	atgggatgcc	7200
337	gtcaacactg	aagtgaccat	tagctttatt	acaaagcaca	actcaacata	tatcattgta	7260
339	ttcccagcac	tttgagaggg	tgaggctggc	ggatcacctg	aggtcaggag	ttcaagtcca	7320
341	acctggccaa	catggtgaaa	ccccgtctct	actacaaata	caaaaattag	ctgggcatgg	7380
343	tggtgggtgc	ctgtaatacc	agctactcag	gaggctgagg	caggagaatt	gcttgaaccc	7440
345	aggaagtgaa	gtttgcagtg	agccaagatc	acaacactgc	actccagcct	cctgggtgac	7500
347	agagcgacac	tccgtctcaa	aaaaaaaaaa	aaaaaaaaaa	aaaaaaaaaa	aaaaaaccaa	7560
349	ctaaaaagaa	taagcaaatc	tagatcaacc	tccctactct	gataacagca	tgaaatacgt	7620
351	gctatcctat	aagctctaata	acaattttgc	atacactgaa	gtctatctct	agtcaagttt	7680
353	agctataacc	accagtaact	tagtgccatt	caagctgtat	tttgtgttgc	atatttgcca	7740
355	gatgacatca	ttgaataaat	agagtgtggc	caacaagccc	tcaggtttga	agtcgttctc	7800
357	atccaccagg	tgatgaatc	agcagtggcc	ggtgtgggtta	aggaaactgg	gcacagtgtc	7860
359	attgatgccc	tcttcaatta	atcatgcaaa	ttagccagtt	gggtgagaca	gtccactgaa	7920
361	tccataaatt	catgtctgat	aaattgaaca	tgtacataca	aagagaaatc	tgaggtctca	7980
363	gaaaaccagg	ttttacaaaa	tgcatagttc	ttttttaaac	caggaaggaa	ataattgttc	8040
365	aatggaactc	aatccatcac	ttctgggctc	cataaataac	acaagtcttc	ctttagaaaa	8100
367	gtcacaatgg	gggaagaaaa	caggcccaca	agctgtatgt	gctgtattct	cactgaccag	8160
369	attttgcaag	tcatltgttg	gcttagaaag	tctctagacc	tgtctgttcc	aaaatggtag	8220
371	gcgttagcct	catataactg	tttaaattta	aatgaattaa	aattaaataa	aattaaaact	8280
373	tcagttcctc	actttgcact	agccacctgt	caggtagctc	gtagtggcac	ccagggcagc	8340
375	atagatagaa	cattccctac	atcacactac	gtctttggat	agaactatct	tatacatctt	8400
377	cttccagttc	atgcacaggg	ttctaactat	cgtggtagtc	cttaatgggt	taccaagtgt	8460
379	tttctcatcc	tcataacatt	attggtagaa	agccaataat	attttattaa	tagccaataa	8520
381	taatttattc	caaatttctt	tatcaattgc	tgagtagcag	attccctcaa	aacatagcaa	8580
383	tttaaacaa	aaacatttgt	taactcccat	catttctgat	ggtcaggggt	ctgggtgtgg	8640
385	tcggctgggt	gatgtggctc	agggggccctc	atgagggcac	aagtcaagat	gtctgctggg	8700
387	gctgcagtca	tctgaaggtg	cagctagggc	tgggggaccca	ctttctagct	cactcatgtg	8760
389	gactgttaga	gaagccttcc	attcctctac	acgtgggctt	ctggccttcc	ccagagtga	8820
391	taacaggaga	gactatgaga	gcgagagcga	gagagagcca	ggagagacct	cgggtgtctt	8880
393	tatagttgct	gaggggttga	tgtgtcccc	agagctcagg	tgttgaaaac	atgatcccca	8940
395	aggtggcctg	gttgggaggt	ggggcctagg	gagaggtatt	tgggcatggc	ggcatcacc	9000
397	tcatgaacag	attaaggcta	ttatggaggg	agtgggttcc	ttataaaaa	acaagttcaa	9060
399	tctcctcttg	ttctttctct	tgccttctct	cacctctctc	ccttccacca	tggaatgctg	9120
401	ataaagagaa	ggcccttgcc	aggtgctggg	ccctcagctc	tggacttctc	agcttccaag	9180
403	ggcgtgagcc	aagcaatttc	tgttcattgt	aaattaccca	gtctgtgcta	ttctattaca	9240
405	gcagcacaaa	atggactaag	acaataacct	aatctcagaa	gtgacatcct	gtcctttctg	9300
407	tattattcta	ttacacagac	cctggtggat	aagagatggg	ggagatgaca	ccaaagtgtg	9360
409	aggatcagga	gttaggatcc	ctgaggctca	gcttagcgct	ttcgctaata	acatttttag	9420
411	taatccccca	ttgccactta	agaagccaag	taatttgcca	agtttacaca	cagcccgtaa	9480
413	atgtcagccg	cagaacgctc	acctcaatcc	tgacttttag	ctccgtttct	ctacagtact	9540
415	ccacctttac	ccatctagat	accaccccaa	cccccttaaa	caatttggct	tctaagaaat	9600
417	cgatgacaca	gatgaataat	gttaacctgc	aaatgttaca	gctaagggtc	aaaagggtct	9660
419	agaagcttga	ttaataacaa	atgtccctct	cctttcactg	ctttttcagg	acaaaataat	9720
421	cataagacag	taggaaaaaa	acagaaagag	cctgctactg	acaaagattt	tctcctgagc	9780
423	caaacttcag	tcgggctctt	gcaagccccc	caggctgtga	ccttgggtgt	tgtccttggt	9840
425	gcacctgcac	tgaccacttg	cagcaagagt	cctgtgagtc	actttaacca	gaactcctct	9900
427	cactcgtgat	gtatcgttgt	agttgttttc	catccacaga	ccctccccac	tttgcctcct	9960

RAW SEQUENCE LISTING ERROR SUMMARY
PATENT APPLICATION: US/10/586,772

DATE: 07/31/2006
TIME: 14:46:27

Input Set : A:\FBRIC54.003APC_Sequence Listing.txt
Output Set: N:\CRF4\07312006\J586772.raw

Please Note:

Use of n and/or Xaa have been detected in the Sequence Listing. Please review the Sequence Listing to ensure that a corresponding explanation is presented in the <220> to <223> fields of each sequence which presents at least one n or Xaa.

Seq#:22; N Pos. 368
Seq#:24; N Pos. 99,253
Seq#:25; N Pos. 7,13,21,27,72,143,156
Seq#:26; N Pos. 115,302,402,403,411,441,455,462,465,466,467,471,475,477,479
Seq#:26; N Pos. 480,481
Seq#:27; N Pos. 253,280,317
Seq#:29; N Pos. 3,32,253,322
Seq#:30; N Pos. 168

VERIFICATION SUMMARY

DATE: 07/31/2006

PATENT APPLICATION: US/10/586,772

TIME: 14:46:27

Input Set : A:\FBRIC54.003APC_Sequence Listing.txt

Output Set: N:\CRF4\07312006\J586772.raw

L:10 M:270 C: Current Application Number differs, Replaced Current Application No
L:10 M:271 C: Current Filing Date differs, Replaced Current Filing Date
L:11507 M:341 W: (46) "n" or "Xaa" used, for SEQ ID#:22 after pos.:360
L:11548 M:341 W: (46) "n" or "Xaa" used, for SEQ ID#:24 after pos.:60
M:341 Repeated in SeqNo=24
L:11602 M:341 W: (46) "n" or "Xaa" used, for SEQ ID#:25 after pos.:0
M:341 Repeated in SeqNo=25
L:11683 M:341 W: (46) "n" or "Xaa" used, for SEQ ID#:26 after pos.:60
M:341 Repeated in SeqNo=26
L:11733 M:341 W: (46) "n" or "Xaa" used, for SEQ ID#:27 after pos.:240
M:341 Repeated in SeqNo=27
L:11794 M:341 W: (46) "n" or "Xaa" used, for SEQ ID#:29 after pos.:0
M:341 Repeated in SeqNo=29
L:11826 M:341 W: (46) "n" or "Xaa" used, for SEQ ID#:30 after pos.:120

from sequence 1

10/586,772 8

tcttgatccc tgtctttcca agaagcctct agaggaaaag ccttcccagc catacagtgc 148080

ccgggaaagc ctgtctgaag tgcagctctg gagctccttc cagtccga ~~ct~~ cgtgcgatga 148140

"y" is at location 148109

↓
"c" is at
location
148129

10/586772 9

from sequence 1

aaactgttct tawtgaatag gtgtttgaac ttgtcagtaa tagagaagaa catattcatt 148380

location 148333

10/586,772 10

<210> 6
<211> 16781
<212> DNA
<213> artificial sequence

(see item 11 on Eno summary sheet)

<220>
<223> FAT fragment

give source of genetic material

<400> 6